

Appl. No. 09/990,244
Reply to Office action of 09/30/2003

Page 5

REMARKS/ARGUMENTS

In reply to the Office Action mailed September 30, 2003, Applicants respectfully request reconsideration allowance of the subject application. In the Office Action, the Examiner rejected claims 1-8 and 17-20 as being provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-18 of copending application No. 09/746,751. Applicants respectfully traverse this rejection. Applicants have also amended claim 17 to improve its clarity and cancelled claims 9-16 from the application which we presented in a divisional application. Accordingly, claims 1-8 and 17-20 are pending in the subject application.

Applicants would like to point out that claim 1 recites: "A volumetric flow rate of stripping fluid moving through the bottom section of said baffle being greater than a volumetric flow rate of stripping fluid moving through the top section of said baffle." Additionally, claim 17 recites that openings in the top section of the baffle and the bottom section of the baffle "are distributed to provide a greater volumetric flow rate of stripping fluid to the bottom section of the sloped baffle than to the upper section of the sloped baffle." Nothing in the claims of the cited application suggests or teaches such an arrangement of openings in a baffle of a stripping vessel. The rejection indicates "[i]t would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize a baffle with slight differences in structure because similar contacting stripping steps are performed." Action at page 2. Applicants respectfully submit that although similar contacting and stripping steps are performed, this similarity would not

Appl. No. 09/990,244
Reply to Office action of 09/30/2003

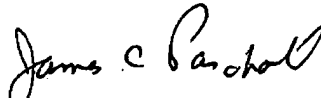
Page 6

reveal or suggest to one of ordinary skill in the art the structure recited in claims 1 and 17 of the subject application.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the obviousness-type double patenting rejection.

Applicants respectfully request reconsideration of all the claims 1-8 and 17-20 pending in the subject application. Should the Examiner have any questions regarding this application, please feel free to call the undersigned.

Respectfully submitted,



James C. Paschall
Attorney for Applicants
Reg. No. 36,887
(847) 391-2355 (phone)
(847) 391-2387 (fax)

James W. Hellwege
Registration No. 28,808
Washington Counsel (703) 205-8021
JCP/mrs